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for
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U. S. Department of Energy
before the
Subcommittee on Strategic Forces
Committee on Armed Services
U.S. House of Representatives
March 2, 2005

Mr. Chairman and Members of the Subcommittee, I take great pleasure today in discussing the FY 2006 budget request for the Environmental Management (EM) program, our progress in implementing cleanup reform, and the importance of sustaining this momentum for the benefit of our workers, our communities, our environment, and the generations to come.

In 2001, we embarked on a course to revitalize and reform a cleanup program that had lost track of its objectives. With the results of that review and Congress investing additional funds in the cleanup budget, the Department of Energy set forth to accelerate the reduction of risk and site cleanup completion in a manner that is safe for the worker, protective of the environment, and respectful to the taxpayer. To ensure EM stayed true to these principles, EM established business management, project management, and performance management systems, a new organizational structure, and acquisition strategies designed to support these principles and cleanup objectives. The principles and cleanup objectives used as a basis for this transformation are now in place.

This strategy to quickly reduce urgent risks to workers, communities and the environment was tied to our requests for funding increases in fiscal years 2003, 2004, and 2005. We committed that if we could eliminate those urgent risks, then starting in FY2006, we would request a declining level of funding to complete our work. The investment has paid off and we believe we are providing the return on your investment that the American people expect and deserve.

The FY 2006 budget request represents the next stage of our strategy. The principles and management systems have been tested and although there are and will continue to be very difficult obstacles, the program is continuing forward. The Department has addressed challenges as they arise and is positioned to move to the next stage of cleaning up the Cold War legacy.

For fiscal year 2006, the President's Budget includes a request for \$6.5 billion for the Department's cleanup program, the first year of a planned decreasing funding profile and a 7.8 percent reduction from our fiscal year 2005 comparable appropriation as we complete cleanup at sites, either in their entirety or major portions and projects. This is what we committed to when we requested the additional funding in FY 2003. Some may say incorrectly that we may be accomplishing less work or will need to slow the pace of cleanup by requesting a lower funding

level. But the investments of 2003 through 2005 have allowed us to lower the infrastructure costs, complete work, reduce high cost security areas, and pull work forward. Thus, we have reduced fixed costs, allowing a greater proportion of our funds to go to actual cleanup—a trend we will continue to improve upon.

The EM portion of the fiscal year 2006 Congressional budget structure is analogous to last year. The budget structure focuses on completion, accountability, and visibility; institutionalizes our values; and integrates performance and budget. Requested funding can clearly be associated with work that is planned and achievable in 2006.

This budget request reflects a transfer of legacy environmental cleanup at most NNSA sites and management of newly generated waste at Lawrence Livermore National Laboratory and the Oak Ridge Y-12 plant to NNSA. The NNSA Act provides only the Secretary and Deputy Secretary of Energy, through the NNSA Administrator, the authority to direct or control officers', employees', and contractors' work. This creates a very cumbersome and inefficient management structure. Under the proposed transfer, NNSA would assume EM's cleanup commitments and complete risk reduction and environmental cleanup at the following sites:

- Transferring legacy waste treatment, storage, disposal, and remediation at 7 sites: Nevada Test Site, Sandia National Laboratory, Separations Process Research Unit, Kansas City Plant, Lawrence Livermore National Laboratory Main Site and Site 300, and Pantex Plant to NNSA.
- Transferring newly generated waste activities at 2 sites: Lawrence Livermore National Laboratory and Oak Ridge Y-12 Plant to NNSA.
- Transferring operation of the Nevada Test Site low-level waste disposal site to NNSA.

In addition, EM has completed active cleanup at the Laboratory for Energy-Related Health Research and is transferring the long-term response actions to the Office of Legacy Management (LM).

This budget request includes funds for the new national Consolidated Business Center (CBC) in Cincinnati, Ohio. The CBC will be the central clearinghouse for a wide range of activities supporting small sites and near-term closure sites.

The Administration considers this budget request crucial to maintaining the successful trend of the past three years. Without your continued support, we could face higher risk to the environment and the public and lose the headway we have worked so hard to achieve. With your support, we will continue to produce measurable results that will last for years to come. We thank you for your trust and support, and plan on continuing to earn your trust in producing real risk reduction with future investments.

DELIVERING ON COMMITMENTS

A priority is to eliminate accidents and injuries from the EM work. Our best performing sites are also our safest sites. EM is no different than any other industry; improved safety performance is a necessary precursor for improved operational performance. In order to accomplish our accelerated risk reduction and cleanup mission, we must improve safety performance first. Safety and results go hand in hand. Neither can be compromised if we are to reach our goals. We are committed to continue instilling this philosophy in every worker's day-to-day decisions.

In fiscal year 2004, EM has been able to:

- Complete packaging all excess plutonium into a safe long-term storage configuration. Performance is largely due to accelerated schedules at Savannah River and Hanford.
- Retrieve spent fuel from all aging water-filled pools and placing it into dry storage or modern, more robust storage pools.

Cumulatively, EM has accomplished the following (included are activities at the NNSA sites proposed for transfer):

- 3,228 containers of enriched uranium (out of 9,101 containers required over the cleanup lifecycle) have been packaged and certified for long-term storage, 173 containers ahead of the accelerated schedule.
- 9,057 metric tons of depleted uranium (out of 742,149 metric tons required over the cleanup lifecycle) have been packaged in a suitable form for disposition. The complex is cumulatively ahead of the accelerated schedule by 4,142 metric tons.
- 615,473 cubic meters of legacy mixed low-level waste (MLLW) and LLW (out of 1,154,636 cubic meters required over the cleanup lifecycle) have been disposed. The complex is ahead of the accelerated schedule by 166,437 cubic meters because almost all sites have accelerated their schedules.
- Eliminate half of the Material Access Areas, highly secure and costly special nuclear materials storage areas, a significant reduction in fixed costs.
- 911 out of 2,647 industrial facilities have been completed. The complex is cumulatively ahead of the accelerated schedule by 212 facilities.
- 5,486 release sites (out of 10,374 release sites required over the cleanup lifecycle) have been completed. The complex is ahead of schedule by 144 release sites. Hanford, Savannah River, and Rocky Flats contributed greatly to the positive performance on this goal.

In addition, on a site specific level, we have:

- Completed packaging all (2,090 metric tons) of Hanford K-Basins spent nuclear fuel for final disposition and moved them well away from the Columbia River for long-term storage;
- Removed all pumpable liquids from the 149 single shell tanks at Hanford;
- Removed all spent nuclear fuel from three aging pools at the Idaho National Laboratory;
- Dispositioned 50 percent (124 out of 248) of the Oak Ridge Reservation facilities which include 2 nuclear facilities, 6 radiological facilities, and 116 industrial facilities;
- Removed all spent nuclear fuel from the West Valley Demonstration Project site to safe and secure long term off-site storage;

- Completed 35 percent of the Defense Waste Processing Facility mission by producing 1,712 out of 5,060 high-level waste canisters;
- Disposed of more than 18,300 cubic meters of transuranic (TRU) waste at the Waste Isolation Pilot Plant (WIPP), roughly 10 percent of the legislated 176,000 cubic meters capacity of WIPP; and
- On track to complete cleanup and closure of Rocky Flats, Fernald, and Mound and four other sites in 2006.

By completing these actions and reducing risks, the liability to the taxpayer is reduced and the environment for future generations will be safer.

CHALLENGES AHEAD

Many of the acute hazards to communities and the environment have been substantially reduced. And although we can and should feel proud about what we have done, real challenges still lie in front of us. For example the Department must:

- Successfully implement the path forward provided by Section 3116 to disposition tank waste stored at Savannah River and Idaho, working with the Nuclear Regulatory Commission and State regulators.
- Initiate major procurement activities at Hanford and Savannah River in FY 2006 to align cleanup work scope for these sites with our contracts, thereby bringing an even greater portion of the Department's cleanup work under contracts that better drive performance.
- Establish a disposition pathway for silos residues from the Fernald site, to allow that site to close in 2006.
- Address seismic design issues for the Waste Treatment Plant at Hanford, to ensure we build a plant that meets all design requirements.
- Resolve uncertainties that challenge our ability to clean up and dispose of radioactive wastes
 at our Department of Energy sites. The cleanup of the EM program requires us to work
 together cooperatively.

In front of us still remains a tremendous amount of risk reduction and environmental remediation, which is why this program still requires \$6.5 billion in fiscal year 2006. In addition we have uncertainties that challenge us, issues like end states for some sites, disposition paths for some wastes, and legal and regulatory issues.

The Department is taking proactive steps in anticipating and addressing such challenges. EM has been refocusing new energy on resolving significant issues and safety performance as well as contract performance and integrated acquisition strategy, managing post cleanup liabilities, and human capital.

Significant issues are to be expected for a program as complex and diversified as EM. We have very tough issues to solve. We have taken on challenges in the past. This gives us the

experience and confidence to take on what some may think are insurmountable issues. We will use our technical, legal, and regulatory resources and will work with Congress, affected Tribes, State and local authorities along with our community stakeholders to continue to provide to our nation the risk reduction and cleanup it expects and deserves.

THE FY 2006 BUDGET REQUEST

The investment we have requested in our FY 2006 budget will continue the Department's success in achieving its mission of accelerated risk reduction and cleanup completion.

DOE's 2006 budget request for EM activities totals \$6.5 billion. Within this request is \$6 billion, including \$451 million for the federal contribution to the Uranium Enrichment Decontamination and Decommissioning Fund for the defense-related activities within the jurisdiction of this committee. The request includes five appropriations, three of which fund onthe-ground, core mission work, and two of which serve as support. The two defense appropriations and associated requested funding are:

- Defense Site Acceleration Completion (\$ 5.184 billion)
- Defense Environmental Services (\$ 831 million)

In building the request, the Department applied the following principles and priorities:

<u>Protect workers, public, and the environment</u>: The budget request continues to place the highest priority on protecting workers, the public, and the environment. The implementation of EM's cleanup strategies allows for an overall improvement in safety and reduction in risk because cleanup will be completed sooner, reducing the extent to which workers, the public, and the environment have the potential to be exposed. Over the past three years, improvements in safety performance have been demonstrated.

<u>Ensure the appropriate levels of safeguards and security</u>: It is crucial that we maintain vigilance in our security to protect our citizens. The EM program is responsible for many tons of surplus nuclear material. There is an overall increase in the safeguards and security budget in FY 2006 due to additional security requirements primarily at Hanford, but also Savannah River, Oak Ridge, Portsmouth, and Paducah, as a result of revisions to the Department's Design Basis Threat—the risk scenarios which each of our sites must plan to withstand.

<u>Risk reduction and cleanup completion</u>: Accelerated risk reduction requires a pragmatic approach to cleanup and occurs in various stages, which involve the elimination, prevention, or mitigation of risk. Because safe disposal of many materials will take a number of years to complete, our major focus of risk reduction is stabilization of high-risk materials:

- High-curie, long-lived isotope liquid waste;
- Special nuclear materials;

- Liquid transuranic waste in tanks;
- Sodium bearing liquid waste in tanks;
- Deteriorating spent nuclear fuel in leaky or poor integrity basins;
- Remote-handled transuranic waste and high transuranic content waste;
- Transuranic waste stored on the surface; and
- Decommissioning of highly-contaminated facilities.

Although all of these items are to be considered when setting priorities, their relative ranking may vary from site to site. Risk reduction is a major consideration in the development of the site baselines. Examples of planned activities and milestones for FY 2006 that correspond to site-specific risk categories are:

Hanford

- Complete cleanout of K East and K West basins (sludge, debris, and water).
 - The K basins are located about ¼ mile from the Columbia River. This project involves removing radioactive sludge, debris, and water from wet storage in the K Basins to safe, interim storage or final disposition away from the Columbia River. The K Basin facilities are well past their design lives and are a major threat to the environment due to the potential for basin leakage to the surrounding soil and the Columbia River. Continued deactivation of the K Basins will support final turnover to the River Corridor Closure contractor. Their cleanout will decrease the risks posed by the basins to human health and the environment.
- Complete remaining activities to support interim safe storage (cocooning) of the H-Reactor.
 - Complete all remaining activities to support interim safe storage of the H-Reactor, provide safe storage for approximately 825 metric tons of unirradiated fuel in the 300 Area facilities and begin preparations for shipping the material offsite. The interim safe storage of the reactor and fuel will decrease the risks they pose to human health and the environment.
- Complete dismantlement of 232-Z facility within Plutonium Finishing Plant (PFP) Complex to slab-on-grade.
 - The PFP Complex consists of several buildings that were used for defense production of plutonium nitrates, oxides and metal from 1950 through 1989. The end state for the PFP is the dismantlement of all facilities to slab-on-grade. Progress will continue on the deactivation and decommissioning of the Plutonium Processing Facility, Plutonium Reclamation Facility, High Level Liquid Waste Facility, Americium Facility and other nuclear facilities within PFP. Dismantlement of the 232-Z incinerator facility will be completed resulting in reduced risk to human health and the environment.

- Accelerate the retrieval of suspect transuranic waste and shipments to the Waste Isolation *Pilot Plant*.
 - Hanford has several thousand containers of previously generated suspect transuranic waste stored in the ground in a retrievable configuration. The retrieval of this waste will be accelerated from 1,500 m³ in fiscal year 2005 to 1,800 m³ in fiscal year 2006. Of the retrieved waste, more than 700 m³ of transuranic waste will be shipped to the Waste Isolation Pilot Plant for final disposition. Characterization and shipment of this waste to the Waste Isolation Pilot Plant for final disposal will reduce the risks to facility workers as well as reduce the safeguard and security vulnerability associated with this waste. This action represents final disposal of this waste in an environmentally protective repository.
- Prepare T Plant to support Tri-Party Agreement M-91 Milestone Requirement.
 - T Plant will be utilized for support of various waste management missions including repackaging of mixed low-level and transuranic wastes. T Plant preparation supports the Tri-Party Agreement M-91 milestone requirements for repackaging of large/remote handled mixed low-level and transuranic wastes.
- Complete upgrade of the remediation system for the 100 D Area Chromium Plume.
 - Chromium-contaminated groundwater is reaching the Columbia River in the 100-D Area. The contamination levels are more than 20 times the aquatic life water standard, and the area is adjacent to potential salmon spawning locations. To address this, the ground water remediation system in the 100 D Area will be upgraded. As a result, the groundwater reaching the Columbia River will once again meet the aquatic water standards, thereby protecting human health and the salmon population in the River.
- Complete construction of Integrated Disposal Facility and initiate treatment of selected low-level and transuranic wastes from single-shelled tanks.
 - Radioactive liquid waste stored in older single-shelled tanks has the potential of leaking and contaminating soil and groundwater that flows to the Columbia River, presenting a risk to human health and the environment. Construction of the Integrated Disposal Facility will provide expandable, on-site disposal capacity for treated low-activity tank wastes, low-level and mixed low-level wastes. Treatment of selected low-level and transuranic tank wastes using supplemental treatment technologies such as bulk vitrification will allow early and accelerated treatment of tank wastes outside the Waste Treatment Plant currently under construction at Hanford.

Idaho

• Complete the construction and startup repackaging facilities for remote handled transuranic waste, and disposition 6,800 m³ of transuranic waste at the Waste Isolation Pilot Plant. Disposition 5,600 m³ of low level and mixed low level waste.

- These actions will serve to reduce operating, surveillance, and maintenance costs while at the same time offering improvements in waste management and long-term safety and security.
- Complete design and initiate construction of the Sodium Bearing Waste Treatment Project, to treat tank radioactive wastes.
 - These actions support the EM goal of reducing the risk of stored liquid radioactive waste and support the 1995 settlement agreement with the State of Idaho.

 These actions will reduce the potential risk to human health by preventing the migration of contamination into the Snake River Plain Aquifer which is a sole source aquifer used to supply water to the people of southeastern Idaho
- *Close one underground storage tank.(WM-184)*
 - This would be the first liquid waste underground storage tank closed since 1997. Removing the liquid waste decreases the risks they pose to human health and the environment, including the underlying Snake River Plain sole-source aquifer.
- Initiate the deactivation of excess reactors and complete deactivation of the Power Burst Facility, building 620.
 - These actions will reduce potential risk by deactivating high risk excess Idaho National Laboratory nuclear buildings that have reached the end of their useful lives.

Oak Ridge

- Initiate the construction of the final expansion of the Environmental Management Waste Management Facility. (EMWMF).
 - Construction of the final expansion of the EMWMF represents an important step in the completion of environmental cleanup at the Oak Ridge Reservation. Waste received from remedial action/decontamination and decommissioning projects from all of the Oak Ridge Reservation will be placed in the engineered disposal facility. Disposition of this waste will greatly decrease the risks to public health and the environment.
- Complete Melton Valley cleanup.
 - Completion of Melton Valley cleanup in fiscal year 2006 will ensure that the largest source term threatening the nearby Clinch River is contained, on-site surface water quality is improved to meet required standards, and off-site users of the Clinch River remain protected.
- Initiate contact-handled transuranic waste processing at the Waste Treatment Facility.
 - This waste is stored in above grade-storage trenches and in earthen trenches. Processing the waste prevents the risk of release to the environment and the continued cost of waste storage and monitoring.

- Complete Offsite Remediation.
 - Complete Atomic City Auto Parts.
 - Complete building and debris removal at Witherspoon 901 sites.
 - This action will reduce the risks posed to workers and the surrounding community from uranium and polychlorinated biphenyls contamination in the soil.

Los Alamos National Laboratory

- Disposition 1,400 cubic meters of legacy transuranic waste and initiate retrieval of legacy transuranic waste storage above ground.
 - Characterization and shipment of this waste to the Waste Isolation Pilot Project for final disposal will reduce the risks to facility workers as well as reduce the safeguard and security vulnerability associated with this waste. This action represents final disposal of this waste in an environmentally protective repository.

Savannah River Site

- Complete processing neptunium solutions.
 - SRS has approximately 6,000 liters of neptunium-237 nitrate solution in H-Canyon. Through processing, the neptunium solutions are converted into a more stable form, and the risks they pose to human health and the environment are reduced.
- Complete de-inventory and deactivation of the F-Area nuclear materials processing facilities.
 - Complete de-inventory and deactivation of the F-Area nuclear materials processing facilities including F Canyon, FB Line, and F Outside Facilities. In addition, complete the stabilization and packaging of plutonium to DOE Standard 3013 in FB Line. This will greatly reduce the security threat and the large fixed costs associated with these facilities as well as the risk posed to human health and the environment.
- Continue to stabilize liquid waste from underground storage tanks.
 - Complete design and begin construction of Salt Waste Processing Facility.
 - Produce 250 canisters of vitrified high-level waste.
- Complete decommissioning of 28 industrial, nuclear, and radioactive facilities, including the completion of M Area Facilities.
 - Decommissioning excess radioactive facilities will reduce the footprint of the site and associated fixed costs, and therefore collectively reduce risk to the worker by eliminating the need to enter the facilities to perform required, routine surveillance and maintenance activities. Risk of worker exposures while performing these activities is eliminated. Decommissioning excess radioactive facilities also eliminates the potential environmental and human health risk of accidental releases from these facilities.

Waste Isolation Pilot Plant

• Begin receipt and placement of remote-handled transuranic waste.

- The Waste Isolation Pilot Plant, in Carlsbad, New Mexico, is the nation's mined geologic repository for the permanent disposal of defense-generated transuranic waste. All transuranic waste comes to the Waste Isolation Pilot Plant for receipt, handling, and disposal. WIPP is not permitted to receive and dispose of remote-handled transuranic waste (defined as such because it generates higher levels of radiation). The permitting activities this year, which come from the combination of many years of regulatory, scientific and engineering efforts, will enable WIPP to receive remote-handled waste by June 2006. This will remove these wastes from around the complex where it constitutes a major health and safety risk, into a centralized, safe disposal site in New Mexico.

<u>Maintain closure schedules:</u> Three major sites, Rocky Flats, Fernald, and Mound, have accelerated closure schedules. In addition, two smaller sites, Ashtabula and Battelle-Columbus are scheduled to close in 2006. Funding in the FY 2006 budget will allow these sites to remain on track toward project completion and site closure.

At Rocky Flats, FY 2006 funding provides for:

- Completing the disposal of legacy low-level and mixed low-level waste to off-site disposal; completing remediation of all remaining release sites.
 - During FY 2006 Rocky Flats will be completing their commitment of site closure and conversion of the Rocky Flats site for future beneficial use. All of the legacy waste as well as amounts generated by remediation will be disposed of off-site in DOE or commercial disposal facilities. Remediation will be completed on all remaining release sites including building foundations and ponds. Site re-contouring and grading will be completed along with all necessary regulatory and project closure documentation.
- Completing nuclear facility deactivation and decommissioning for all nuclear as well as non-nuclear buildings on site.
 - All the buildings where plutonium and other hazardous materials were used in support of the nuclear weapons deterrent, which constitute over 1,000,000 square feet of space, will be demolished. All final quantities of radioactive wastes will be removed from the site, and the grounds will be receiving the necessary remediation action. These actions, when complete, will allow the Department of Energy to release the site to the U.S. Fish and Wildlife Service to become the Rocky Flats National Wildlife Refuge with little or no further risk to human health or the environment.

At Fernald, FY 2006 funding provides for:

- Completing decontamination and decommissioning of Silos 1, 2, and 3 treatment facilities and associated support structures/facilities.
 - Silos 1 and 2 Extraction and Treatment Operations represent the greatest risk to human health and the environment at the Fernald Closure Project. Silos 1 and 2 contain the highest levels of radiological activity residing in any waste stream at the site. The Silos 1

and 2 project constitute the Site Closure Critical Path. Their successful completion is a prerequisite for a timely and safe closure.

- Completing construction of the On-Site Disposal Facility Cells 6 and Cell 7 caps, contaminated soil excavation, expansion and capping of Cell 8, and natural resource restoration.
 - Completing soil excavation, disposal into the onsite cells, and capping the cells of the On-Site Disposal Facility (OSDF) will insure the reduction in risk to human health and the environment during post closure. Overall, the OSDF will be composed of 8 cells, containing 2.5 million cubic yards of waste soil and debris. The OSDF has been designed and engineered to possess a 5-foot thick liner and a 9-foot thick cap. The OSDF has a design life of 1,000 years.

At Mound, FY 2006 funding provides for:

- Completing the excavation and verification of Potential Release Site 131 (soil beneath Buildings R, SW, and B Slab) and the remaining Potential Release Sites and ship the remaining remediation waste for off-site disposal, and transfer remaining land to the Miamisburg Mound Community Improvement Council.
 - Completing Potential Release Site 131 decreases risk by preventing any further radioactive contamination from migrating into clean soil areas and ground water, by reducing potential exposure to site workers and other personnel located on site, and by precluding any potential environmental impacts to off site areas.

At Ashtabula, FY 2006 funding provides for:

- Completing remediation of the Waste Management Unit.
 - Remediating the Waste Management Unit significantly reduces the remaining risks of organic and inorganic chemical exposure to both soil and groundwater at the RMI site.

At Battelle-Columbus, FY 2006 funding provides for:

- Completing demobilization of equipment and site infrastructure to support closure and complete off-site disposal of transuranic waste.
 - Demobilization of the remaining equipment and infrastructure will support final closure of the site. Removal of the transuranic waste will also reduce risk to off-site areas and members of the general public.

CONCLUSION

Three years ago we started down the path to bring clarity and focus to our mission and deliver on our commitments. We must continue to improve our performance and look beyond the gains we have made to achieve our vision for the benefit of future generations. I have challenged our partners in cleanup: our workforce, our contractors, our regulators, our communities, and all those interested in joining us in our vision of cleanup to put their most innovative ideas and

people forward. We must not lose the momentum that has been established, particularly as we work through the tremendous challenges that still face us. This program spends nearly \$1 million per hour, 24 hours per day, seven days a week. The question is how we continue to return value to the communities and taxpayers with this program. We are committed to using our resources to show meaningful risk reduction and cleanup completion results.

We must never go backwards, to the time when we measured success by how much we spent, not by how much we did. We must never again believe the falsehood that it is a choice between being safe and doing work, for it is only when we do our work that we are really safe. We must not by our inaction allow this legacy to become our children's, grandchildren's, or our great-grandchildren's problem...it is for us to solve and for us to complete. We must demand excellence and never again accept the notion that this job is too hard or too dangerous to complete. We have demonstrated that we can do this work, that we can do it safely, and that we can do it on a schedule that is completed in our lifetime.

The challenges before us are formidable. They will require our collective resources, ingenuity, and hard work to deliver but we are up to this challenge. We have demonstrated that challenges can be overcome.

Again, I thank you for the support you have provided these last few years, and I ask for your continued support in this very important work. The potential is there to lose what we have gained should we fail to stay true to our commitments: a cleanup that is safe for the worker, protective of the environment, and respectful of the taxpayers.

I look forward to working with Congress and others to achieve this worthy goal.